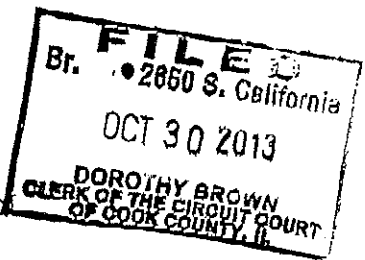


STATE OF ILLINOIS)
)
COUNTY OF COOK)

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT – CRIMINAL DIVISION



PEOPLE OF THE STATE OF ILLINOIS)

vs.)

MICHAEL HART)

NO. 13 MC1 - 132670

PEOPLE'S FACTUAL PROFFER
IN SUPPORT OF SETTING BOND

NOW COME the People of the State of Illinois, by and through their Attorney, State's Attorney of Cook County, ANITA ALVAREZ, through her Assistant Lynn McCarthy, and hereby present their factual proffer in support of setting bond.

I. INTRODUCTION:

Section 5/110-5 of the Illinois Code of Criminal Procedure sets forth criteria relevant to determining the amount of bail and conditions of release. 725 ILCS 5/110-5. The information used by the Court in its findings with regard to setting the amount of bail may be presented by way of written proffer based upon reliable information offered by the State. 725 ILCS 5/110-5.

Michael Hart ("Defendant") is charged by way of Complaint for Preliminary Examination with the felony offenses of Aggravated Battery 720 ILCS 5/12-3.05 and Official Misconduct 720 ILCS 5/33-3. If convicted, Defendant faces a sentence of probation up to 5 years in the Illinois State Penitentiary.

II. DEFENDANT:

Michael Hart, of Gurnee, Illinois, is 43-years-old and has been employed full-time as a Village of Skokie Police Officer since 1994.

III. THE FACTS:

The Cook County State's Attorney's Office investigated this case as part of its ongoing efforts against public corruption and police misconduct. As to this particular incident, the investigation revealed the following facts:

On the morning of March 10, 2013, Michael Hart, a Village of Skokie Police Officer, was on-duty and working inside the Skokie Police Department assisting in the fingerprinting and

photographing of a female arrestee, Cassandra Feuerstein, 47. Feuerstein had been arrested for driving under the influence of alcohol earlier that morning by another Skokie Police officer.

During the booking process, Officer Hart became irate with Feuerstein when she repeatedly disregarded his command to look at a specific location on the camera lens to allow him to take a proper arrest photo of her. After Feuerstein disobeyed Hart's final command, he grabbed her forcibly by the arm and pulled her towards an open detention cell. At the cell's threshold, Feuerstein faced the inside of the cell and used both hands to momentarily grasp the sides of the doorway in an attempt to regain her balance and to prevent Hart from placing her into the cell. Feuerstein shouted at Hart to "wait" because she wanted one more chance to have her photo taken before being placed into the cell. At that point, Hart was behind Feuerstein and he put both of his hands on Feuerstein's back and pushed her into the cell. The force of Hart's shove propelled Feuerstein face-first into and across the cell and caused her face and head to slam into the unpadded concrete bench that ran the entire width of the cell's back wall. The impact with the concrete fractured Feuerstein's right orbital bone, loosened some of her teeth, and opened a deep cut on her cheek. The orbital fracture required Feuerstein to undergo reconstructive surgery during which a titanium plate was inserted into her cheek. She also suffers vision and dental problems as a result of the incident. All of the events described were captured and recorded by video surveillance cameras that were mounted throughout the Village of Skokie Police station.

BOND RECOMMENDATION:

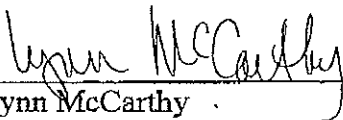
Section 5/110-5 of the Illinois Code of Criminal Procedure sets forth criteria relevant to determining the amount of bail and conditions of release. 725 ILCS 5/110-5. In particular, the Court may consider the nature of the offense, extent of the victim's injuries, and the nature of the defendant's employment as a police officer at the time of the incident.

Based upon matters discussed herein, the People of the State of Illinois recommend that this Honorable court set a reasonable bond in this case, and that this Court, as special conditions of release, bar the defendant from possession of any firearms and surrender all firearms now in his possession.

Respectfully submitted,

ANITA ALVAREZ
STATE'S ATTORNEY OF COOK COUNTY

BY:


Lynn McCarthy
Assistant State's Attorney